

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:	:	X	Chapter 11
	:	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> ,	:	:	Case No. 08-35653 (KRH)
	:	:	
Debtors.	:	:	Jointly Administered
	:	:	
	:	:	
	:	:	
	:	:	
	:	X	

**SUMMARY OF THIRD INTERIM FEE APPLICATION OF DJM REALTY SERVICES,
LLC FOR ALLOWANCE AND PAYMENT OF COMPENSATION FOR SERVICES
RENDERED
(MAY 1, 2009 –THROUGH JULY 31, 2009)**

Name of applicant:	<u>DJM Realty Services, LLC</u>
Authorized to provide professional services to:	<u>Circuit City Stores, Inc., et al.</u>
Date of retention:	<u>11/19/08</u>
Period for which compensation and reimbursement are sought:	<u>5/1/09 – 7/31/09</u>
Amount of compensation sought as actual, reasonable, and necessary:	<u>\$465,310.37</u>
This is: <u> X </u> an Interim Application <u> </u> a Final Application	

Employment and Retention of DJM Realty Services, LLC, as Real Estate Consultant and Advisor to the Debtors effective November 19, 2008 (the "Employment Application") [Docket No.963]. A copy of the Employment Application is attached to this Application as Exhibit A.

3. The Employment Application was supported as to DJM by the Declaration of Andrew B. Graiser, a copy of which is included as part of Exhibit A.

4. On January 9, 2009 the Court entered its order (the "Employment Order") [Docket No.1436] authorizing the Debtors to retain DJM. A copy of the Employment Order is attached to this Application as Exhibit B. The Real Estate Consulting and Advisory Services Agreement and the three amendments thereto (collectively the "Agreement") executed by the Company and DJM are attached hereto as part of Exhibit A and as Exhibit A-1 respectively. The Agreement includes provisions for DJM to work on property dispositions. As amended, the Agreement provides for the reimbursement to DJM of approved expenses, not to exceed \$100,000. As set forth in Section 3(b) of the Agreement, DJM is entitled to receive fees for property dispositions in the amount of 3.75% of gross proceeds for Leases and 3.25% of gross proceeds for Owned Properties.

COMPENSATION AND REIMBURSEMENT REQUESTED

5. By this Application DJM requests that this Court authorize and order allowance of compensation for services rendered by DJM on behalf of the Debtors in the amount of \$465,310.37, representing fees earned representing the fees earned and payment of \$6,562.50 of such fees, the amount not previously paid.

6. No agreement or understanding exists between DJM and any other entity for the sharing of compensation to be received for services rendered in connection with this case.

SUMMARY OF EXPENSES INCURRED, SERVICES RENDERED AND FEES

7. Since the entry of the Employment Order, DJM worked closely with the Debtors and their advisors to maximize the return for estate creditors and has acted at all times in the best interests of creditors and other parties in interest in this case. As set forth below, during the Third Interim Period DJM's efforts resulted in gross proceeds from real estate transactions in excess of \$14,000,000.

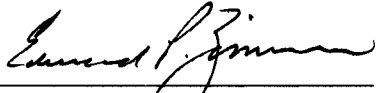
8. DJM marketed Leases for assignment or other disposition. As a result of such efforts the Debtors during the Third Interim Period realized gross proceeds in the amount of \$891,143.28 from assignment or termination fees. As set forth in Section 3 (b) of the Agreement, DJM's fee for such transactions is 3.75% of such gross proceeds which equals \$33,417.87. DJM invoiced the Debtors for such amount, copies of which invoices are attached to this Application as composite Exhibit C. Those invoices list each Lease disposed of and the dollar amount of the gross proceeds related to each Lease. The Debtors paid the amounts stated in those invoices except for the \$6,562.50 fee related to the Bloomingdale, IL lease.

9. DJM marketed Owned Properties for sale. As a result of such efforts during the Third Interim Period the Debtors realized gross proceeds in the amount of \$13,299,000 from the sale of the Debtors' store numbers 567 in Ardmore, OK, 847 in Baltimore, MD and 817 in Virginia Beach, VA. As set forth in Section 3 (b) of the Agreement, DJM's fee for such sale is 3.25% of such gross proceeds which equals \$431,892.50. DJM has invoiced the Debtors for such amount, copies of which invoices are attached to this Application as composite Exhibit D. The Debtors paid the amounts stated in those invoices.

WHEREFORE, DJM requests that the Court (i) approve DJM's fees in the amount of \$33,417.87 related to the disposition of Leases, (ii) approve DJM's fees in the amount

of \$431,892.50 related to the sale of the Owned Properties, (iii) authorize payment of \$6,562.50, the presently unpaid portion of such Lease disposition fees, and (iv) grant DJM such other and further relief as the Court deems just and proper.

DJM REALTY SERVICES, LLC

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Dated: September 2, 2009

Respectfully submitted by:

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